

Message Text

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INFO OCT-01 EUR-25 IO-14 ISO-00 DLOS-07 SSO-00 NSCE-00

INRE-00 NEA-14 CIAE-00 PM-07 H-03 L-03 NSAE-00 NSC-07

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CINCUSAREUR IMMEDIATE

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E.O. 11652: GDS

TAGS: PBOR, PFOR, TU, GR

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SUBJECT: LAW OF THE SEA: POTENTIAL USG-GOG DISPUTE ON

QUESTION OF ISLANDS

REF: ATHENS 3394

1. INR RESEARCH STUDY ON "ISLANDS: NORMAL AND SPECIAL CIRCUMSTANCES" IS A RESEARCH DOCUMENT OF THE GEOGRAPHER, BUREAU OF INTELLIGENCE AND RESEARCH. AS DISCLAIMER STATES, "... THE PAPER DOES NOT NECESSARILY REPRESENT OFFICIAL U.S. POLICY IN REGARD TO TECHNICAL DELIMITATION QUESTIONS IN THE LAW OF THE SEA AND THE PEACEFUL USES OF THE SEABED." AS FURTHER NOTED BY ZOTIADES, THE INR STUDY HAS BEEN WRITTEN FROM A GEOGRAPHICAL POINT OF VIEW AND SHOULD NOT BE CONSTRUED AS AN OFFICIAL INTERPRETATION OF CUSTOMARY OR CONVENTIONAL INTERNATIONAL LAW. THE STUDY ATTEMPTS TO SUGGEST HOW CERTAIN ISSUES MAY BE ADDRESSED WHEN ISLANDS ARE CONSIDERED IN MARITIME BOUNDARY DELIMITATIONS ON THE BASES OF CERTAIN STATE PRACTISES AND GEOGRAPHICAL FACTORS.

2. THE IDENTICAL DISCLAIMER IS CARRIED BY THE RESEARCH STUDY AND THE "NEWS RELEASE" OF THE BUREAU OF PUBLIC AFFAIRS. THE DISTRIBUTION BY PUBLIC AFFAIRS DOES NOT INDICATE THAT USG HAS ADOPTED POLICY PROPOSALS CONTAINED IN STUDY BUT MERELY REFLECTS THE WIDESPREAD INTEREST IN THE UNITED STATES IN THE CARACAS CONFERENCE ON THE LAW OF THE SEA.

3. FYI: THE ISSUE OF "ISLANDS" AS THEY AFFECT TERRITORIAL SEA, CONTINENTAL SHELF AND SEABED BOUNDARY DELIMITATIONS MAY WELL ARISE IN CARACAS IN THE REVISION OF CURRENT OCEAN LAW. IT IS FELT BY MANY, INCLUDING THE USG, THAT A DETAILED DISCUSSION OF THE TECHNICAL ISSUES INVOLVED IN ISLANDS COULD BE DISRUPTIVE OF THE GENERAL AIMS OF THE CONFERENCE. MANY STATES WILL VIEW "ISLANDS" ONLY AS THEY AFFECT THEIR SPECIFIC NATIONAL INTERESTS IN SEEKING EQUITABLE DIVISIONS OF THE SEABED RESOURCES. THE USG, AS A RESULT, HAS NOT TAKEN AN OFFICIAL POSITION ON THE TREATMENT OF ISLANDS AND DOES NOT INTEND AT THIS TIME TO EVEN SEEK TO REEXAMINE THE EXISTING DELIMITATION PROVISIONS OF THE CONVENTIONS ON THE TERRITORIAL SEA AND CONTIGUOUS ZONE AND OF THE CONTINENTAL SHELF. SISCO

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